

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

DANNY WILLIAMS,

Plaintiff,

v.

CV No. 19-594 SMV/CG

NINE ENERGY SERVICES,

Defendant.

ORDER GRANTING LIMITED EXTENSION OF DISCOVERY

THIS MATTER is before the Court on Plaintiff Danny Williams' *Motion for Leave of the Court to Extend Time for Discovery* (the "Motion"), (Doc. 39), filed July 31, 2020, and the parties' oral agreement to proceed with a modified discovery schedule, (Doc. 40 at 1). The parties have reached an agreement regarding an extension of the deadline for the termination of discovery to allow Plaintiff to conduct limited discovery. The Court, having reviewed the Motion and hearing from counsel, finds the Motion is well-taken and shall be **GRANTED**.

IT IS THEREFORE ORDERED that discovery shall be completed by **November 2, 2020**, to provide Plaintiff an opportunity to engage in limited, additional discovery for the specified purposes mutually agreed to by the parties as outlined below.

- A. Plaintiff may serve additional requests for production of documents or electronically stored information, in compliance with Rule 34 of the Federal Rules of Civil Procedure, relating to or otherwise evidencing the following:
 - i. Text messages sent or received, during the period between August 1, 2018 to August 2, 2018, as part of a so-called management group text message thread that purportedly included, possibly among others, the

following individuals: Charles Williford, Daniel Brisco, Timothy Chandler, Danny Williams, and Chance [last name unknown] (the “Management Group Text”); and

- ii. Pre- and post- job inspection reports completed by Plaintiff during the time period between August 1, 2018 to August 2, 2018.

The parties agree that, to the extent the foregoing requests for production outlined in clauses (i)-(ii) require Defendant to produce e-mails, text messages or other ESI, the parties will endeavor to reach an agreement regarding those individuals employed (current or former) by Defendant whose e-mail or cell phone records will be subject to a search.

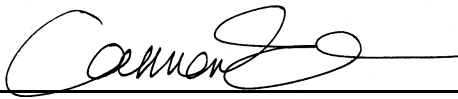
- B. Plaintiff may depose Juan Perez and Daniel Brisco.
- C. Except as provided in clauses (A)-(B) of this Order, no other discovery will be permitted by either party during the extended discovery period, unless otherwise agreed to by the parties in writing.

IT IS FURTHER ORDERED that the deadlines contained in the current *Scheduling Order*, (Doc. 30), are hereby modified as follows:

- i. Deadline to file Discovery Motions: **November 23, 2020**
- ii. Deadline to file Dispositive Motions: **February 26, 2021**
- iii. Deadline for Plaintiff to file consolidated final Pretrial Order to Defendant: **April 13, 2021**
- iv. Deadline for Defendant to file consolidated final Pretrial Order to Court: **April 27, 2021**

Unless modified by this Order, any deadlines that have passed as of the date of this order are expired. This Order may be altered or amended only by order of this Court and only upon a showing of good cause.

IT IS SO ORDERED.



THE HONORABLE CARMEN E. GARZA
CHIEF UNITED STATES MAGISTRATE JUDGE